



State of Tennessee Department of Children's Services

Administrative Policies and Procedures: 20.37

**Subject: Family Planning and Reproductive Health
Services For Youth in Departmental Treatment
Facilities**

Supersedes: DYD 16.13,
07/01/94

Local Policy: No
Local Procedures: No
Training Required: No

Approved by:

Effective date: 09/01/01

Revision date:

Application

To All Department Of Children's Services in Youth Development Center/Tennessee Preparatory School and Community Residential Program Employees

Authority: TCA 37-5-106; 37-10-301 seq; 63-6-204, 222, 223; 68-34-104

Policy

Youth in Youth Development Centers, Tennessee Preparatory School and Community Residential Programs requesting or need family planning and reproductive health services shall be referred to a local health department, family planning or reproductive health services agency, the court advocate program or other licensed health care provider that provide such services.

Procedures

**A. Recommen-
dations for family
planning
counseling or
reproductive
health services**

1. Referral

When a youth is recommended for family planning counseling or reproductive health services in his/her Individual Program Plan (IPP) or Permanency Plan, the case manager or designated staff shall refer the youth to the facility health nurse, case manager or designated staff for counseling and referral.

2. The facility health nurse, case manager or designated staff

must not offer their own opinion for or against any form of family planning services or abortion. (Local health departments do not offer Information and counseling about abortion procedures.)

B. Referral for counseling and services

1. Medical confirmation of pregnancy

If a youth believes she is pregnant or a youth exhibits characteristics of pregnancy, the facility health nurse, case manager or designated staff must refer her to an appropriate health care provider, the local health department, or other appropriate health care services provider to confirm the pregnancy.

2. Referral for counseling

- a) If a pregnancy is confirmed, or if it has been confirmed that a male youth is an expectant father, the facility health nurse, case manager or designated staff must provide counseling/assistance or refer the youth:
 - ◆ For professional counseling and assistance by a family planning agency or health care provider; or
 - ◆ To appropriate financial support services, and adoption services available through the Department of Children's Services, Department of Human Services and Department of Health.
- b) Pregnant youth and expectant father youth may also be referred for religious counseling from representatives of the denomination of their choice.
- c) Referrals for counseling must be documented and maintained in the youth's case file and in TNKIDS as appropriate.

3. Parent/guardian or spousal notification

Youth shall be provided assistance in notifying their parent(s), guardian(s) or spouse of a pregnancy or expectant paternity in accordance with current federal and state laws.

C. Abortion services counseling

If a youth requests information concerning abortion services, the facility health nurse, case manager or designated staff must direct the youth to the DCS court advocate program or to other appropriate health care services only to seek information regarding abortion services. See DCS policy [2.2, Court Advocate Program](#).

D. Elective abortions

1. If the pregnancy is confirmed and the pregnant youth inquires about the availability of an abortion, the facility nurse, case manager or designated staff must inform/counsel the youth of the parental consent requirements for minor youth under the age of eighteen (18).
2. If the youth is unable to obtain the consent of a parent/guardian, or the parent/guardian refuses to consent, is not available for consent, chooses not to ask her parent's consent, or if incest exists, the youth may be referred to the court advocate program for information regarding the judicial bypass waiver. Refer to DCS Policy [2.2, Court Advocate Program](#).
3. When an abortion is requested, the facility Superintendent or Community Residential Program director shall be notified and the normal and customary procedures for a medical pass initiated.
4. Documentation of the referrals, counseling, and outcomes shall be maintained in the youth's case files and/or medical records and in TNKIDS as appropriate.
5. Confidentiality shall be managed, controlled, and protected in accordance with applicable statutes, rules, policies, and ethical standards.

E. Costs

1. The Department of Children's Services shall not bear responsibility for the costs of an elective abortion except in cases of documented criminal charges of rape or incest.
2. In cases of rape or incest or in cases where a health care provider has recommended a therapeutic abortion to protect the mother's physical or mental health, payment may be made as provided in DCS Policy [2.2, Court Advocate Program](#).

Forms

None

Collateral Documents

None

Standards

3-JTS-4C-15

3-JCRF-5C-03

Glossary

<i>Term</i>	<i>Definition</i>
<i>Court advocate program</i>	A program consisting of Department of Children's Services personnel located in each county, to facilitate the efforts of the department to assist and inform youth under the age of eighteen (18) to the Tennessee law requiring parental consent to obtain an abortion.
<i>Elective abortion</i>	Abortions that are initiated by <u>personal choice</u> .
<i>Therapeutic abortion</i>	Abortions that are recommended by a health care provider to protect the mother's physical or mental health.